



# PUBLIC NOTICE

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12th STREET, S.W.**  
**WASHINGTON, D.C. 20554**

News Media Information: (202) 418-0500

Fax-On-Demand: (202) 418-2830

Internet: <http://www.fcc.gov>

<ftp.fcc.gov>

DA 02-1689

Released: July 18, 2002

## **ENFORCEMENT BUREAU FIELD OPERATIONS LIST OF NOTICES OF APPARENT LIABILITY ISSUED<sup>1</sup>**

### **Enforcement Bureau Field Offices Propose 43 Forfeitures in Amounts Totaling \$502,200 in June 2002**

The following is a list of Notices of Apparent Liability issued by the Enforcement Bureau's Field Offices during the period June 1, 2002 through June 30, 2002. During this period, the Field Offices issued 43 Notices of Apparent Liability ("NALs") in amounts totaling \$ 502,200 for violations of the Communications Act of 1934, as amended, 47 U.S.C. § 151, *et seq.*, and/or the FCC's Rules. Of the 43 NALs issued, 32 involved violations of the Commission's safety-related rules (*e.g.*, antenna structure, cable signal leakage, AM station fencing requirements and Emergency Alert System). The Bureau cautions licensees and antenna structure owners that the Commission takes compliance with these rules seriously. Failure to comply with these rules may result in significant enforcement actions.

**This list is provided for information purposes only and does not provide parties with additional rights. Parties wishing to make a payment or file a response to a NAL must do so in accordance with the instructions and by the deadline set forth in the NAL.**

### **Communications Act**

- 47 U.S.C. § 301 – Unauthorized Operation
  - *Amethyst's International, Inc., Point Pleasant Beach, NJ. \$10,000 NAL.* Philadelphia, PA District Office (6/5/02).
  - *Octavio Sarmiento, Jr., \$10,000 NAL.* Tampa, FL District Office (6/5/02).
  - *Richard Munoz. \$10,000 NAL.* Tampa, FL District Office (6/5/02).
  - *Alpha Ambulance, Inc., San Juan, PR. \$10,000 NAL.* San Juan, PR Resident Agent Office (6/21/02).
  - *Manuel M. Vazquez, Naples, FL. \$10,000 NAL.* Tampa, FL District Office (6/25/02).
  - *High Peaks Broadcasting, LLC, KXDC(FM) – Estes Park, CO, KXUU-FM1 – Boulder, CO. \$24,000 NAL.* Other violation: 47 C.F.R. § 74.1235 (Power Limitations and Antenna Systems). Denver, CO District Office (6/28/02).

### **47 C.F.R. Part 1 – Practice and Procedure**

- 47 C.F.R. § 1.89 – Failure to Respond to Notices of Violation

---

<sup>1</sup> This Public Notice replaces the "Enforcement Bureau Field Operations List of Actions Taken" Public Notice.

- **BarJo Communications Group, Oneonto, NY. \$23,000 NAL.** Other violations: 47 C.F.R. §§ 11.35 (Equipment Operational Readiness) and 11.61 (Tests of EAS Procedures). Buffalo, NY Resident Agent Office (6/18/02).

#### **47 C.F.R. Part 11 – Emergency Alert System Rules**

- **47 C.F.R. § 11.35 – Equipment Operational Readiness**
  - **Faith Bible College, Inc., licensee of FM Broadcast Station KTGF, Milton, Florida. \$8,000 NAL.** Tampa, FL District Office (6/4/02).
  - **Cornbelt Broadcasting Co., WHOW and WHOW-FM, Clinton, IL. \$17,000 NAL.** Other violations: 47 C.F.R. §§ 17.4(g) (Posting of Antenna Structure Registration Numbers) and 73.49 (AM Transmission System Fencing Requirements). Chicago, IL District Office (6/18/02).
  - **Millcreek Broadcasting, LLC, KUUU-FM1, KUDD(FM), KUUU(FM). \$22,000 NAL.** Other violation: 47 C.F.R. § 74.1251 (Technical and Equipment Modifications). Denver, CO District Office (6/19/02).
  - **Atlantic Beach Radio, Inc., WMIR(AM), Atlantic Beach, SC.. \$12,000 NAL.** Other violation: 47 C.F.R. § 73.1745 (Unauthorized Operation). Atlanta, GA District Office (6/24/02).
  - **KGGF-KUSN, Inc., Coffeyville, KS, Springfield, MO. \$23,000 NAL.** Other violations: 47 C.F.R. §§ 17.47 (Inspection of Antenna Structure Lights and Associated Control Equipment), 17.50 (Cleaning and Repainting) and 73.49 (AM Transmission System Fencing Requirements). Kansas City, MO District Office (6/28/02).
- **47 C.F.R. § 11.52 – EAS Code and Attention Monitoring Requirements**
  - **Faith Mountain Communications, Inc., WRRL, Rainelle, WV. \$8,000 NAL.** Columbia, MD District Office (6/19/02).
- **47 C.F.R. § 11.61 – Tests of EAS Procedures**
  - **Reef Broadcasting, Inc., WRRR, WAXJ and WDHP, Christianstead, USVI. \$2,000 NAL.** San Juan, PR Resident Agent Office (6/18/02).
  - **First National Broadcasting Corporation, KXOL(AM) and KSOS(AM) - Brigham City, UT. \$10,000 NAL.** Other violations: 47 C.F.R. §§ 73.1125 (Station Main Studio Location) and 73.1820 (Station Log). Denver, CO District Office (6/28/02).

#### **47 C.F.R. Part 17 – Construction, Marking & Lighting of Antenna Structures**

- **47 C.F.R. § 17.4(a) – Antenna Structure Registration**
  - **Mitchell Communications, Inc., Danville, VA. \$13,000 NAL.** Other violation: 47 C.F.R. § 17.49 (Recording of Antenna Structure Light Inspections in the Owner Record). Norfolk, VA Resident Agent Office (6/10/02).
  - **Truth Broadcasting Corp., Winston-Salem, NC. \$11,200 NAL.** Other violations: 47 C.F.R. §§ 73.49 (AM Transmission System Fencing Requirements) and 73.1350 (Transmission System Operation). Norfolk, VA Resident Agent Office (6/12/02).

- 47 C.F.R. § 17.4(g) – Posting of Antenna Structure Registration Number
  - **Media Broadcasting Corporation, Winston-Salem, NC. \$12,000 NAL.** Other violation: 47 C.F.R. § 17.51 (Time When Lights Should Be Exhibited). Norfolk, VA Resident Agent Office (6/13/02).
  - **Beacon Broadcasting, Inc., Warren, OH. \$15,000 NAL.** Other violations: 47 C.F.R. §§ 17.48 (Notification of Extinguishment or Improper Functioning of Lights) and 17.50 (Cleaning and Repainting). Philadelphia, PA District Office (6/14/02).
  - **Seggi Broadcasting of Florida, Inc., Lake Wales, FL. \$24,000 NAL.** Other violations: 47 C.F.R. §§ 17.23 (Specifications for Painting and Lighting Antenna Structures), 17.50 (Cleaning and Repainting) and 17.51 (Time When Lights Should Be Exhibited). Tampa, FL District Office (6/20/02).
  - **Moffatt Properties Leasing LLC, Tupelo, MS. \$2,000 NAL.** New Orleans, LA District Office (6/24/02).
  - **East Tennessee Radio Group, L.P., Dalton, GA. \$5,000 NAL.** Other violation: 47 C.F.R. § 17.57 (Report of Radio Transmitting Antenna Construction, Alteration and/or Removal). Atlanta, GA District Office (6/27/02).
- 47 C.F.R. § 17.21 – Painting and Lighting, When Required
  - **United States Cellular Corporation, Chicago, IL, owner of Antenna Structure No. 1233307 near Ellsworth, Iowa. \$10,000 NAL.** Other violation: 47 C.F.R. § 17.45 (Temporary Warning Lights). Kansas City, MO District Office (6/5/02).
  - **Haviland Telephone Co., Inc., Haviland, KS. \$10,000 NAL.** Kansas City, MO District Office (6/13/02).
  - **Morgan Tower, Inc., Cinnaminson, NJ. \$10,000 NAL.** Philadelphia, PA District Office (6/19/02).
- 47 C.F.R. § 17.23 – Specifications for Painting and Lighting Antenna Structures
  - **South Central Communications Corp., Knoxville, TN. \$10,000 NAL.** Other violations: 47 C.F.R. §§ 17.47 (Inspection of Antenna Structure Lights and Associated Control Equipment), 17.48 (Notification of Extinguishment or Improper Functioning of Lights) and 17.51 (Time When Lights Should Be Exhibited). Atlanta, GA District Office (6/25/02).
  - **El Dorado 900, LLC, City of Industry, CA. \$15,000 NAL.** Other violations: 47 C.F.R. §§ 17.47 (Inspection of Antenna Structure Lights and Associated Control Equipment), 17.48 (Notification of Extinguishment or Improper Functioning of Lights), 17.56 (Maintenance of Lighting Equipment) and 17.57 (Report of Radio Transmitting Antenna Construction, Alteration and/or Removal). Los Angeles, CA District Office (6/28/02).
- 47 C.F.R. § 17.50 – Cleaning and Repainting
  - **Midwest Tower Partners, Ltd. \$10,000 NAL.** Kansas City, MO District Office (6/4/02).
  - **Kilgore Video, Inc., Kilgore, TX. \$10,000 NAL.** Dallas, TX District Office (6/11/02).
  - **Gold Coast Broadcasting Company, Santa Monica, CA. \$10,000 NAL.** Los Angeles, CA District Office (6/25/02).
  - **Deans Cablevision, Inc., Conception Junction, MO. \$10,000 NAL.** Kansas City, MO District Office (6/26/02).
  - **Lake Mobile Phone, Osage Beach, MO. \$10,000 NAL.** Kansas City, MO District Office (6/27/02).

#### **47 C.F.R. Part 73 – Radio Broadcast Rules**

- 47 C.F.R. § 73.44 – AM Transmission System Emission Limitations
  - ***Monroe Area Broadcasters, Inc., WRKQ, Madisonville, TN. \$9,000 NAL.*** Other violations: 47 C.F.R. §§ 73.1201 (Station Identification) and 73.1745 (Unauthorized Operation). Atlanta, GA District Office (6/27/02).
- 47 C.F.R. § 73.49 - AM Transmission System Fencing Requirements
  - ***Wilson Broadcasting Co., Inc., licensee of Radio Station WAGF(AM), Dothan, Alabama. \$7,000 NAL.*** Atlanta, GA District Office (6/10/02).
  - ***King Broadcasting Company, KBIM(AM), Roswell, NM. \$21,000 NAL.*** Other violations: 47 C.F.R. §§ 73.1350 (Transmission System Operation), 73.1400 (Transmission System Monitoring and Control) and 73.1560 (Operating Power and Mode Tolerances). Denver, CO District Office (6/14/02).
  - ***Anastos Media Group, Saratoga Springs, NY. \$7,000 NAL.*** Buffalo, NY Resident Agent Office (6/21/02).
- 47 C.F.R. § 73.51 – Determining Operating Power
  - ***J4 Broadcasting of Cincinnati, Inc., Cincinnati, OH. \$5,000 NAL.*** Other violation: 47 C.F.R. § 73.1560 (Operating Power and Mode Tolerances). Detroit, MI District Office (6/20/02).
- 47 C.F.R. § 73.1125 – Station Main Studio Location
  - ***Ramh Corporation, KDEF(AM) – Albuquerque, NM. \$21,000 NAL.*** Other violations: 47 C.F.R. §§ 73.1350 (Transmission System Operation), 73.1400 (Transmission System Monitoring and Control) and 73.1560 (Operating Power and Mode Tolerances). Denver, CO District Office (6/28/02).
- 47 C.F.R. § 73.1215 – Specifications for Indicating Instruments
  - ***Radio 810 Nashville, Incorporated (WMGC, Murfreesboro, TN) Evansville, IN. \$10,000 NAL.*** Other violations: 47 C.F.R. §§ 73.1350 (Transmission System Operation) and 73.1745 (Unauthorized Operation). Atlanta, GA District Office (6/18/02).

#### **47 C.F.R. Part 74 – Experimental Radio, Auxiliary, Special Broadcast and Other Program Distributional Services**

- 47 C.F.R. § 74.551 – Equipment Changes
  - ***AGM-Nevada, LLC, KYLZ-FM1, WMV815 and WMW873 – Albuquerque, NM. \$12,000 NAL.*** Other violation: 47 C.F.R. § 74.1235 (Power Limitations and Antenna Systems). Denver, CO District Office (6/28/02).

## **47 C.F.R. Part 76 – Multichannel Video and Cable Television Service**

- 47 C.F.R. § 76.605 – Technical Standards
  - ***Comcast Cablevision of the South, Philadelphia, PA. \$8,000 NAL.*** Other violation: 47 C.F.R. § 76.611 (Cable Television Basic Signal Leakage Performance Criteria). Atlanta, GA District Office (6/10/02).
  - ***Mediacom, Gulf Breeze, FL. 8,000 NAL.*** Other violation: 47 C.F.R. § 76.611 (Cable Television Basic Signal Leakage Performance Criteria). Tampa, FL District Office (6/20/02).
  - ***Mediacom, Gulf Breeze, FL. \$8,000 NAL.*** Tampa, FL District Office (6/21/02).